

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PERCY THOMAS JOHNSON,

Petitioner,

v.

JOHN M. RYAN, et al.,

Respondents.

CIVIL ACTION  
NO. 89-2999

**ORDER**

AND NOW, this 6th day of October 2015, upon consideration of Petitioner's pro se Petition for Writ of Habeas Corpus (Doc. No. 32), Respondents' Answer Regarding Timeliness of Petition for Writ of Habeas Corpus (Doc. No. 42), Petitioner's Response to Respondents' Reply (Doc. No. 44), the Report and Recommendation filed by United States Magistrate Judge Thomas J. Rueter (Doc. No. 45), and Petitioner's Objections to the Magistrate Judge's Report and Recommendation (Doc. No. 49), it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 45) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 32) is **DENIED**.
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).
4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.